

House File 397

AN ACT

RELATING TO THE STATE CHILD LABOR LAW AND INCLUDING EFFECTIVE  
DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 92.2, subsection 1, unnumbered paragraph  
1, Code 2015, is amended to read as follows:

A person over ten and under sixteen years of age cannot be  
employed, with or without compensation, in street occupations  
or migratory labor as defined in section 92.1, unless the

~~person holds a work permit issued pursuant to this chapter and the school the person attends has certified that the person is regularly attending school and the potential employment will not interfere with the person's progress in school. A written agreement, as defined in section 92.11, subsection 1, shall not be required for the issuance of a work permit under this section.~~

Sec. 2. Section 92.11, unnumbered paragraph 1, Code 2015, is amended to read as follows:

A work permit, except for migrant laborers, shall be issued only by the ~~superintendent of schools or department of workforce development, or by a person authorized by said superintendent in writing, or, where there is no superintendent of schools, by a person authorized in writing by the local school board where such child resides,~~ labor commissioner upon the application of the parent, guardian, or custodian of the child desiring such permit. ~~The person authorized to issue work permits~~ application shall not issue any such permit unless ~~the person has received, examined, approved, and filed~~ include the following:

Sec. 3. Section 92.11, subsection 1, Code 2015, is amended to read as follows:

1. ~~A written agreement~~ statement from the person, firm, or corporation into whose service the child under sixteen years of age is about to enter, promising to give such child employment, and describing the industry ~~and~~ in which the work ~~to~~ will be performed.

Sec. 4. Section 92.12, Code 2015, is amended to read as follows:

**92.12 Migrant labor permits.**

1. Every person, firm, or corporation employing migrant laborers shall obtain and keep on file, accessible to any officer charged with the enforcement of this chapter, a work permit, ~~prior to the employment of such migratory laborer.~~

2. Work permits for migrant workers shall be issued by the ~~superintendent of schools, or the superintendent's designee, nearest the temporary living quarters of the family or by the department of workforce development,~~ labor commissioner upon application of the parent or head of the migrant family. ~~The person authorized to issue such permits for migratory workers~~ application shall not issue such permit until the person has ~~received, examined, and approved~~ include documentation of proof of age as described in section 92.11, subsection 2.

3. One copy of the permit issued shall be given to the employer to be kept on file for the length of employment and upon termination of employment shall be returned to the labor commissioner. ~~One copy of the permit shall be kept by the issuing officer, and one copy forwarded to the commissioner.~~ The blank forms for the application for a work permit for migratory workers and the work permit for migratory workers shall be formulated by the commissioner and ~~furnished by the commissioner to the issuing officer.~~

Sec. 5. Section 92.13, Code 2015, is amended to read as follows:

**92.13 Optional refusal of permit.**

The labor commissioner ~~or the issuing officer~~ may refuse to grant a permit if, in the commissioner's ~~or officer's~~ judgment, the best interests of the minor would be served by such refusal and the commissioner ~~or officer~~ shall keep a record of such refusals, and the reasons therefor.

Sec. 6. Section 92.14, Code 2015, is amended to read as follows:

**92.14 Contents of work permit.**

Every work permit shall state the date of issuance, name, sex, the date and place of birth, the residence of the child in whose name it is issued, ~~the color of hair and eyes, the height and weight,~~ the proof of age, the school grade completed, the name and location of the establishment where the child is to be employed, the industry, ~~specified occupation, a brief description of duties for which the permit is issued,~~ and that the papers required for its issuance have been duly examined, approved, and filed, ~~and that the person named therein has personally appeared before the officer issuing the permit and has been examined.~~

Sec. 7. Section 92.15, Code 2015, is amended to read as follows:

**92.15 Duplicate Application to labor commissioner.**

~~A duplicate of every such~~ An application for a work permit issued pursuant to section 92.11 or section 92.12 shall be ~~filled out and forwarded~~ submitted to the office of the labor commissioner within ~~one week~~ three days after it is issued ~~the child begins work.~~

Sec. 8. Section 92.16, Code 2015, is amended to read as follows:

**92.16 Forms for permits ~~furnished~~ formulated.**

The proper forms for the application for a work permit,

~~the work permit, the employer's agreement, the school record,~~  
the certificate of age, and the physician's certificate shall  
be formulated by the labor commissioner ~~and furnished to the~~  
~~issuing authorities.~~

Sec. 9. Section 92.17, subsection 1, Code 2015, is amended  
by striking the subsection.

Sec. 10. EFFECTIVE DATE. This Act takes effect June 1,  
2015.

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KRAIG PAULSEN  
Speaker of the House

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PAM JOCHUM  
President of the Senate

I hereby certify that this bill originated in the House and  
is known as House File 397, Eighty-sixth General Assembly.

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CARMINE BOAL  
Chief Clerk of the House

Approved \_\_\_\_\_, 2015

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TERRY E. BRANSTAD  
Governor